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Date of Deposit August 19, 1999.

REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR § 1.53(b)(1)

Case No.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
970/045	CLASS 144	SUBCLASS 363	W. Donald Bray	3725

Address to:
Assistant Commissioner for Patents
Washington, DC 20231

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b)(1), of pending prior application number 09/245,954, filed on February 5, 1998, entitled METHOD AND APPARATUS FOR RETAINING A FLITCH FOR CUTTING.

1. Enclosed is a copy of the latest inventor-signed prior application, including a copy of the oath or declaration showing the original signature or an indication it was signed. I hereby verify that the papers are a true copy of the latest signed prior application number 08/752,800, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful, false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	10 - 20 =	0	x \$ 18 =	\$
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	2 - 3 =	0	x \$ 78 =	\$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$260 =	\$ 0
				BASIC FEE (37 CFR 1.16(a))	\$ 380
				Total of above Calculations =	\$380
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)	\$
				TOTAL =	\$380

2. ☒ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27

☐ is enclosed.

☒ was filed in prior application number 08/752,800 (copy enclosed) and such status is still proper and desired (37 CFR 1.28(a)).

3. ☒ The Assistant Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

4. ☒ Enclosed is a check for \$ 380.00 to cover the filing fees.

5. ☒ Cancel in this application original claims 1-13 and 19-25 of the prior application and otherwise enter the attached preliminary amendment before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).

6. ☒ The inventor of the invention being claimed in this application is: Robert D. Brand.

7. ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Assistant Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: _____

8. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of application number 09/245,954, filed February 5, 1998, which is a continuation of patent application No. 08/752,800 filed November 20, 1996, which is a continuation-in-part of prior patent application No. 08/685,207 filed July 31, 1996, now U.S. Patent No. 5,701,938, which is a continuation of prior patent application No. 08/455,479 filed May 31, 1995, now U.S. Patent No. 5,562,137."

9. ☐ New formal drawings are enclosed.

10. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.

☐ The certified copy has been filed in prior application number _____, filed

11. ☒ A preliminary amendment is enclosed.

12. ☒ The prior application is assigned of record to Capital Machine Company, Inc.

13. ☒ Also enclosed: Information Disclosure Statement and Form 1449.

14. ☒ The power of attorney in the prior application is to: David H. Badger and other attorneys at the firm of BRINKS HOFER GILSON & LIONE.

a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future correspondence to: (may only be completed by applicant, or attorney or agent of record.)

August 19, 1999
Date

David H. Badger
BRINKS HOFER GILSON & LIONE
One Indiana Square, Suite 2425
INDIANAPOLIS, IN 46204
(312)321-4200


Signature

Name: David H. Badger
Reg. No. 22,597

☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)
Registration Number if acting under 37 CFR 1.34(a): _____